

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, FEBRUARY 3, 2005**

UNAPPROVED
FEBRUARY 7, 2005

PRESENT: John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District

ABSENT: Walter L. Alcorn, Commissioner At-Large
Laurie Frost Wilson, Commissioner At-Large

//

The meeting was called to order at 8:18 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

//

COMMISSION MATTERS

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARINGS ON PCA 92-H-033 AND SEA 79-C-007-4, GENEVA ENTERPRISES, INC., TO A DATE CERTAIN OF MAY 5, 2005.

Commissioners Byers and Hopkins seconded the motion which carried unanimously with Commissioners Alcorn and Wilson absent from the meeting.

//

RZ 2004-SP-001 - GHOLAMREZA KHAMESI (Decision only)

(The public hearing on this application was held on January 26, 2005. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2004-SP-001, SUBJECT TO THE PROFFERS DATED FEBRUARY 3, 2005.

Commissioners Hall and Hart seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Alcorn and Wilson absent from the meeting.

//

ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. FDPA 82-P-069-13-09 - NATICK VA REALTY CORP.
2. RZ 2004-MA-025 - HECHINGER ENTERPRISES

The order was accepted without objection.

//

The next case was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman Byers.

//

FDPA 82-P-069-13-09 - NATICK VA REALTY CORP. - Appl. to amend the thirteenth final development plan for FDPA 82-P-069 previously approved for retail to permit the addition of a service station. Located on the S. side of Fair Lakes Blvd approx. 600 ft. S.W. of its intersection with Fair Lakes Pkwy. and S. of Fair Lakes Shopping Center La., on approx. 11.48 ac. of land zoned PDC. Tax Map 55-2 ((4)) 4. SPRINGFIELD DISTRICT.
PUBLIC HEARING

Carson Lee Fifer, Jr., Esquire, with McGuire Woods LLP, reaffirmed the affidavit dated November 3, 2004. There were no disclosures by Commission members.

Commissioner Murphy called the Commission's attention to revised Final Development Plan Amendment Conditions dated January 14, 2005. He noted that changes had been made to Development Condition Number 7, concerning the hours of operation, and to Development Condition Number 10, concerning signage and stating that the service station would be for the use of members only.

Bill Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Fifer said the proposed modifications would enable this site to conform to other BJ's Wholesale Clubs. He noted that one of the Final Development Plan Amendment Conditions would result in approximately 6,000 square feet of additional landscaping. Mr. Fifer reiterated that the proposed service station would be limited to BJ members only.

Vice Chairman Byers called for speakers from the audience but received no response. There were no comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Murphy for action on this application. (A verbatim excerpt is in the date file.)

//

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 82-P-069-013-09, SUBJECT TO THE DEVELOPMENT CONDITIONS THAT WERE AMENDED AND BEFORE THE COMMISSION THIS EVENING DATED JANUARY 14, 2005.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Alcorn and Wilson absent from the meeting.

//

Chairman Murphy resumed the Chair.

//

RZ 2004-MA-025 - HECHINGER ENTERPRISES - Appl. to rezone from C-6 and I-5 to C-6 to permit commercial development with an overall Floor Area Ratio (FAR) of 0.26. Located N. of I-495 on the E. side of Backlick Rd. and S. of Hechinger Dr. on approx. 7.81 ac. of land. Comp. Plan Rec: Retail/Other and Office. Tax Map 80-2 ((1)) 23. MASON DISTRICT. PUBLIC HEARING.

M. Catharine Puskar, Esquire, with Walsh, Colucci, Lubeley, Emrich & Terpak, P.C., reaffirmed the affidavit dated December 27, 2004. There were no disclosures by Commission members.

Aaron Shriber, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Ms. Puskar outlined the applicant's proposal which would facilitate the reuse of the vacant Hechinger's store. She said the proposed tenant, a grocer, would serve the needs of the area. Ms. Puskar explained the new tenant upgrades would include improving the façade, reconfiguring the parking lot, and making additional landscape improvements. She also said transportation improvements would include re-striping along Backlick Road and Hechinger Drive to facilitate vehicular movement; the dedication of right-of-way for future improvements to Backlick Road; and the completion of a sidewalk and a crosswalk on Hechinger Drive. To address concerns of staff, Ms. Puskar said the applicant had agreed to provide right-of-way dedication before the issuance of the first non-RUP, or by demand of the County, whichever occurred first; and to provide a hedge as a modified barrier along the western property line. Ms. Puskar said the applicant had recently been contacted by counsel for an adjacent property owner who had raised some site-specific concerns but said she was confident the issues could be resolved. She said a meeting would be held to discuss those concerns before the Board of Supervisors' action on this application. Ms. Puskar noted that the proposed development had the support of the Mason District Land Use Committee.

Ms. Puskar and Mr. Shriber responded to questions from Commissioner Hall about the revisions of Proffers 2, 3, 8 and 12 and said they had no issues with these changes.

Ms. Puskar responded to a question from Commissioner Byers about the requested waiver of the requirement to have a building located within 75 feet of an interstate highway. Commissioner Hall said, to her knowledge, the building predated the widening of I-495.

Chairman Murphy called for speakers from the audience but received no response. There were no comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on this application. (A verbatim excerpt is in the date file.)

//

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF REZONING 2004-MA-025, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JANUARY 18, 2005, WITH THE FOLLOWING MODIFICATIONS:

FIRST, THE DATE WILL BE MODIFIED TO FEBRUARY 2nd.

NEXT, PROFFER NUMBER 2, THE WORD "ADMINISTRATION DIVISION" WILL BE CHANGED TO "ADMINISTRATOR."

PROFFER NUMBER 3 OF THE PROFFERS WILL BE MODIFIED TO INSERT "THE USE IS" BEFORE THE WORD "OTHERWISE." THAT SENTENCE WILL NOW READ "IN ADDITION, OTHER SPECIAL EXCEPTIONS AND SPECIAL PERMIT USES MAY BE APPROVED WITHOUT A PCA IF A SPECIAL EXCEPTION IS APPROVED BY THE BOARD OF SUPERVISORS OR A SPECIAL PERMIT IS APPROVED BY THE BOARD OF ZONING APPEALS AND PARKING REQUIREMENTS CAN BE MET ON-SITE AND THE USE IS OTHERWISE IN SUBSTANTIAL CONFORMANCE WITH THE GDP AND THESE PROFFERS."

PROFFER NUMBER 8 WILL BE CHANGED WITH THIS ADDITION: "A LANDSCAPING PLAN INCORPORATING LANDSCAPING SHOWN ON SHEET 2 OF THE GDP WITH THE ADDITION OF A HEDGE TO MAINTAIN A 36 INCH HEIGHT ALONG THE WESTERN EDGE OF THE PARKING AREA."

AND FINALLY, NUMBER 12 IS CHANGED TO READ "UPON ISSUANCE OF THE FIRST NON-RUP FOR BUILDING 1 OR UPON DEMAND BY THE COUNTY, WHICHEVER OCCURS FIRST, THE APPLICANT SHALL DEDICATE, AT NO COST TO THE COUNTY, IN FEE SIMPLE TO THE BOARD OF SUPERVISORS, RIGHT-OF-WAY MEASURING 57 FEET FROM THE EXISTING CENTER LINE AS SHOWN ON THE GDP."

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson absent from the meeting.

Commissioner Hall MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE WESTERN PROPERTY BOUNDARY.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson absent from the meeting.

Commissioner Hall MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE SOUTHERN PROPERTY BOUNDARY.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson absent from the meeting.

Commissioner Hall MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF SECTION 2-414 OF THE ZONING ORDINANCE.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson absent from the meeting.

//

The meeting was adjourned at 8:45 p.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Susan M. Donovan

Approved on:

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission